

# **Exhibit F**

**Osantowski, Kevin C.**

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**From:** Haughey, Stephen N. <SHAughey@fbtlaw.com>  
**Sent:** Tuesday, March 12, 2024 4:09 PM  
**To:** Deavers\_Chambers@ohsd.uscourts.gov  
**Cc:** Sherry\_Nichols@ohsd.uscourts.gov; Bryant, Lindsey A.; Roessler, Todd; Gregory J. DeGulis; Walulik, David W.; Berlin, Steve; Thaler, Jeffrey A.; Osantowski, Kevin C.; Bill.Hubbard@ThompsonHine.com; DeLong, Scott A.; Johnson, Ethan F.  
**Subject:** Goodyear Tire & Rubber Company v. Conagra Foods, et al, Case No. 2:20-cv-06347-MHW-EPD - Rule 37 Request for Conference  
**Attachments:** EMAIL CORRESPONCE.pdf; S Bordenkircher Declaration 03.04.24.pdf  
**Importance:** High  
**Sensitivity:** Confidential  
**FilingDate:** 4/1/2024 11:50:00 AM

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Hon. Magistrate Judge Deavers:

Pursuant to the Court's Scheduling Order (Doc. 156) and SD Local R. 37.1, Defendants OSCO Industries, Inc. and R. J. Reynolds Tobacco Holdings, Inc. request a conference with the Court to discuss a discovery dispute with Plaintiff Goodyear Tire & Rubber Company relating to Defendants' discovery that Goodyear entered into one or more settlements with insurance carriers in 2004-2005 for environmental response costs incurred at numerous sites, including the Jackson County Landfill, and its refusal to produce a copy thereof to Defendants. The nature of the dispute and the extrajudicial efforts to resolve it are set forth in (1) the attached email correspondence between counsel for Defendants and Goodyear, dating from February 13 through today, March 12, and (2) the attached declaration offered by Goodyear, dated March 4, which confirmed the existence of insurance settlements that included the JCL. The Defendants maintain that the documents they seek are directly relevant to dispositive motions that have already been filed by the parties.

In terms of related Court filings, this dispute relates to the Court's August 11, 2023, Opinion and Order (Doc. 200) deciding Defendants' Motion to Compel that addressed, among other things, a dispute arising out of Goodyear's response to discovery requests in 2022 that sought this information. The parties' agreed protective order (Doc. 84) is also related in terms of Goodyear's ability to produce the insurance settlements subject to a claim of confidentiality under that order.

With respect to scheduling a Rule 37 conference, after the Court reviews the attachments and related documents, Defendants' counsel request that the Court consider (1) scheduling a telephone call with counsel to set a date/time to discuss the dispute, or (2) issuing a notation order setting a date for the parties to file cross-memoranda supporting their client's position if the Court determines that the dispute is unlikely to be resolved via a conference with the Court. For the convenience of the Court, a copy of this email is shown to its clerk, Ms. Nichols. Thank you.

Respectfully Submitted,

Steve Haughey, Trial Counsel for OSCO Industries (submitting on behalf of OSCO and Reynolds)

**Stephen N. Haughey**

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